

REMARKS

Claims 1-2, 4-13, 15-18, 20-21, 23-26, and 28-36, all the claims pending in the application, stand rejected on prior art grounds. Applicants respectfully traverse these rejections based on the following discussion.

I. The Prior Art Rejections

Claims 1-2, 4-13, 15-18, 20-21, 23-26, and 28-36 stand rejected under 35 U.S.C. §102(b) as being anticipated by Barber, et al. (U.S. Patent No. 6,088,435), hereinafter referred to as Barber. Applicants respectfully traverse these rejections based on the following discussion.

The claimed invention provides a method automatically determines a communication connection action using context information for a caller and context information for a called party. The communication connection action comprises a decision as to whom the caller should be telephonically connected without additional input from the caller. The identification and/or contact information of the called party is unknown to the caller.

In the rejection, the Office Action argues that Barber discloses many features of the claimed invention. However, Barber does not determine the communication action prior to the connecting of the caller. Instead, the method of Barber does not begin until after the caller dials the access number or requests access to the message center. In addition, Barber does not determine a communication connection action using real-time context information for the caller. Instead, Barber only retrieves the “subscriber record

[50]” from the database 30. Therefore, as explained in greater detail below, Applicants respectfully submit that the prior art of record does not teach or suggest the claimed invention.

Applicants traverse the rejections because the prior art of record fails to teach or suggest the claimed features wherein the determining of the communication action is performed prior to the connecting of the caller. Such features are defined in independent claims 1, 12, 17, 28, 29, and 36 using similar language.

More specifically, as illustrated in Figure 3, in block 330, responsive to the context accessed in block 320, we determine a connection objective (paragraph 0045 of Applicants’ disclosure). In block 335 we determine an action associated with the connection objective (paragraph 0046 of Applicants’ disclosure). *The associated action may be taken before the connection action* (paragraph 0048 of Applicants’ disclosure).

After blocks 330 and 335, in block 340 we execute a connection action to reach the connection objective determined in block 330. Once the connection objective is determined, a connection action is further determined. Such an action may be based on table or database lookup or may be mediated by called party context including but not limited to location, called enterprise or called party policy, availability, connectivity, connections status or other factors. A connection action may include but is not limited to dialing a telephone number, initiating a VOIP connection, connecting to a voice mail box, redirecting a call, connecting to a conference or connection service (paragraph 0049 of Applicants’ disclosure). To the contrary, the method of Barber does not begin until after

the caller “dials [an] access number” (FIG. 3, item 94) or “requests access to [a] message center” (FIG. 6, item 114).

Accordingly, Applicants submit that Barber does not determine the communication action prior to the connecting of the caller. Instead, the method of Barber does not begin until after the caller dials the access number or requests access to the message center. Therefore, it is Applicants’ position that the prior art of record fails to disclose the claimed features “wherein said determining of said communication action is performed prior to said connecting of said communication connection requestor” as defined by independent claim 1, wherein the “communication connection requestor” is a user as defined by independent claim 12, or wherein the “communication connection requestor” is a caller as defined by independent claims 17 and 28. Additionally, the prior art of record fails to disclose the claimed features “wherein said processor is operative to determine said communication connection action prior to connection of said caller” as defined by independent claim 29 or “wherein said selecting of said called party is performed prior to said establishing of said communication connection” as defined by independent claim 36.

In addition, Applicants traverse the rejections because the prior art of record fails to teach the claimed features of determining a communication connection action using said real-time context information for said caller. Such features are defined in independent claims 1, 12, 17, 28, 29, and 36 using similar language.

More specifically, as described in paragraph 0053 of Applicants’ disclosure, in block 440 the caller’s context supplement is with *real-time* sensor data. Relevant data

includes but is not limited to (1) the time of day and the caller's time zone, (2) the caller's location as determined by GPS (global positioning system) coordinates, the location of relevant communication network resources (for example TCP/IP subnets), cellular towers, and the like; (3) data from special-purpose sensors that detect motion, sound, light, pressure, etc. deployed in spaces frequented by the caller (for example in the caller's automobile); and (4) personal medical sensors that report the caller's physiological state.

To the contrary, nothing within Barber discloses using real-time context information for the caller. Instead, Barber only discloses retrieving the “subscriber record [50]” from the database 30 (Barber, FIG. 3). The subscriber record 50 is not based on real-time context information for the subscriber.

Accordingly, Applicants submit that Barber does not determine a communication connection action using real-time context information for the caller. Instead, Barber only retrieves the “subscriber record [50]” from the database 30. Therefore, it is Applicants’ position that the prior art of record does not disclose the claimed features of “automatically determining a communication connection action using said real-time context information for said communication connection requestor” as defined by independent claim 1, wherein the “communication connection requestor” is a “user” as defined by independent claim 12, and wherein the “communication connection requestor” is a “caller” as defined by independent claims 17 and 28. Furthermore, the prior art of record does not disclose the claimed features of “us[ing] said real-time context information for said caller and said context information for a called party to determine a

communication connection action” as defined by independent claim 29, or “wherein said selecting of said called party is based on at least one of real-time context information of said communication connection requestor” as defined by independent claim 36.

Therefore, it is Applicants’ position that Barber does not teach or suggest many features defined by independent claims 1, 12, 17, 28, 29, and 36 and that such claims are patentable over the prior art of record. Further, it is Applicants’ position that dependent claims 2, 4-11, 13, 15-16, 18, 20-21, 23-26, and 30-35 are similarly patentable, not only because of their dependency from a patentable independent claims, but also because of the additional features of the invention they defined. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

II. Formal Matters and Conclusion

In view of the foregoing, Applicants submit that claims 1-2, 4-13, 15-18, 20-21, 23-26, and 28-36, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 50-0510.

Respectfully submitted,

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